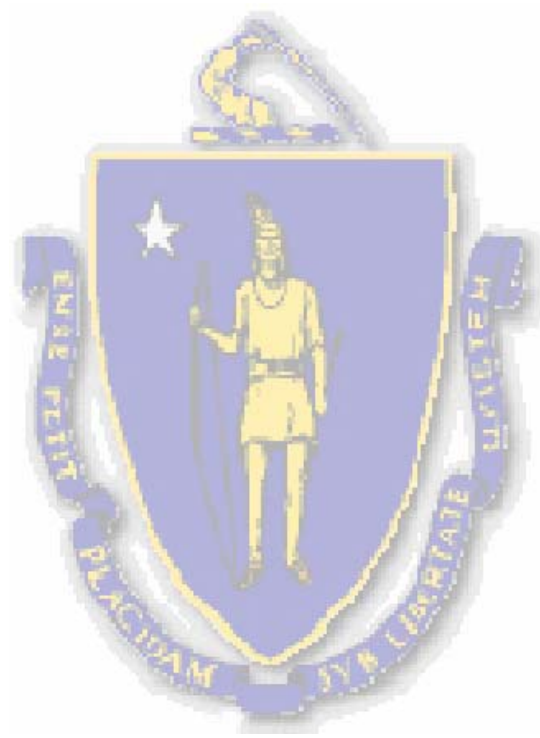


Quarterly Report on the Status of Prison Overcrowding, Third Quarter 2005

Massachusetts Department of Correction
Submitted in Compliance with Chapter 799
Section 21 of the Acts of 1985



Mitt Romney
Governor

Kerry Healey
Lt. Governor

Edward A. Flynn
Secretary of Public Safety

Kathleen M. Dennehy
Commissioner

December 2005

2005 Third Quarter Report

Section Twenty-one of Chapter 799 of the Acts of 1985 directs the Commissioner of Correction to report quarterly on the status of overcrowding in state and county facilities. This statute calls for the following information:

Such report shall include, by facility, the average daily census for the period of the report and the actual census on the first and last days of the report period. Said report shall also contain such information for the previous twelve months and a comparison to the rated capacity of such facility.

This report presents the required statistics for the third quarter of 2005.

This report prepared by Pamela McLaughlin, of the Research and Planning Division, is based on daily count sheets.

2005 Third Quarter Report

Table of Contents

Table of Contents		3
Technical Notes		4
Abbreviations		6
Table 1.	Population in Department of Correction Facilities, July 5, 2005 to September 26, 2005	7
Table 2.	Population in Department of Correction Facilities, July 6, 2004 to June 27, 2005	8
Table 3.	Population in County Correctional Facilities by County, July 5, 2005 to September 26, 2005	9
Table 4.	Population in County Correctional Facilities by Facility, July 5, 2005 to September 26, 2005	9
Table 5.	Population in County Correctional Facilities by County, July 6, 2004 to June 27, 2005	10
Table 6.	Population in County Correctional Facilities by Facility, July 6, 2004 to June 27, 2005	10
Figure 1.	DOC Sentenced Population, Third Quarters 2004 and 2005	11
Figure 2.	HOC Population, Third Quarters 2004 and 2005	11
Table 7.	Quarterly DOC Court Commitments by Sex 2004 and 2005	12
Figure 3.	New DOC Court Commitments Third Quarters 2004 and 2005, by Sex	12

Technical Notes, 1996 to Present¹

- The official capacity or custody level designation for each facility can change for a number of reasons, e.g. expansion of facility beds, decrease of facility beds due to fire, or changes in contracts with vendors. In all tables the capacity and custody level reflects the status at the end of the reporting period. The design capacity is reported for correctional facilities in Tables 1 through 6.
- Due to changes in the Massachusetts General Law, DOC consolidated one unit at the Bridgewater Treatment Center and back-filled with general population inmates. These design capacity beds were placed on-line November 8, 1996 and first appeared on the November 12, 1996 daily count sheet. Three hundred additional beds were placed on-line during the third quarter of 1997.
- Where relevant, the population figures for all facilities include both male and female inmates except as shown at Lancaster.
- State inmates housed in the Hampshire County contract program are included in the county population tables, as are all other state inmates housed in county facilities.
- Beginning with the second quarter of 1998 quarterly report, the following county correctional facilities are presented individually: Bristol Dartmouth, Bristol Ash Street, David R. Nelson Correctional Addiction Center, and Bristol Pre-Release in Bristol County; Essex Middleton and Essex Lawrence Correctional Alternative Center in Essex County; Middlesex Cambridge and Middlesex Billerica in Middlesex County; Norfolk Braintree, Norfolk Dedham, and Norfolk Contract in Norfolk County. Beginning with the third quarter of 1998 report, facilities for Suffolk and Hampden counties are presented individually.
- Nashua Street inmates housed at other facilities are reported in the counts for the facilities in which they are in custody.
- On October 22, 1997, Eastern Massachusetts Correctional Alcohol Center (EMCAC) was renamed the David R. Nelson Correctional Addiction Center (DRNCAC).
- On May 18, 2000, the Braintree Alternative Center was temporarily closed for renovations by the Norfolk County Sheriff's Office. All inmates were transferred to the minimum security Pre-Release Center in Dedham.
- As of September 15, 2000, Longwood Treatment Center, male population, was moved to the Massachusetts Boot Camp and the women were transferred to facilities housing female populations.
- As of September 22, 2000, Massachusetts Boot Camp no longer holds any medium security inmates.
- Due to DOC policy modification, the security level of Boston State Pre-Release was changed from Security Level 2 to Security Level 3/2 during the third quarter of 2001.
- P.P.R.E.P. was closed effective July 26, 2001.
- Charlotte House was closed effective November 9, 2001.
- Effective November 16, 2001, NCCI-Gardner added 30 beds to Security Level 3, per policy 101.
- May 20, 2002, NECC changed from a Security Level 3 to Level 3/2. The design capacity for Security Level 3 is 62, and for Security Level 2 the design capacity is 88.

Technical Notes, Continued

- May 20, 2002, Pondville changed from a Security Level 3 to Level 3/2 with a design capacity of 100.
 - June 10, 2002, South Middlesex Correctional Center changed to a facility for female offenders.
 - June 22, 2002, Old Colony Correctional Center added a Level 3 housing unit. The design capacity for Security Level 5 is 480 and for Security Level 3 the design capacity is 100.
 - On June 30, 2002, the following facilities were closed. SECC (Medium), Hodder Cottage @ Framingham, MCI-Lancaster, The Massachusetts Boot Camp and the Addiction Center @SECC.
 - As of July 1, 2002, the Massachusetts Boot Camp was renamed the Massachusetts Alcohol and Substance Abuse Center (MASAC). Within MASAC is the Longwood Treatment Center Program, relocated on September 15, 2000. This program serves individuals incarcerated for operating under the influence of alcohol. Because the inmates are predominantly county sentenced inmates, the inmate count and bed capacity is also included in Tables 3 and 4.
 - The Treatment Center includes both civil and criminal populations.
 - As of April 5, 2002, Norfolk County no longer has any contract beds, all inmates are now held at the Norfolk County House of Correction.
 - As of April 5, 2002, Bristol County closed the Pre-Release facility and moved inmates to Bristol County House of Correction.
 - As of July 1, 2002, two housing units remain open at MCI-Shirley Minimum with a design capacity of 92.
 - Within MASAC, The Longwood Treatment Center Program was terminated on July 1, 2003. The last inmate to leave the facility was on September 8, 2003.
 - On past Quarterly Overcrowding Reports, NCCI-Gardner (Minimum) was inadvertently shown under Security Level 3/2 instead of Level 3. This problem has been rectified.
 - Effective February 5, 2004, Boston State Pre-Release Center had a change in design capacity. The new capacity is 150. 100 beds are Pre-Release and 50 beds are Minimum.
 - Within MCI-Shirley is a 13 bed unit called the Assisted Daily Living Unit, which opened on February 22, 2005. It serves to house inmates who require assistance with activities of daily living (e.g., hygiene, eating, ambulating, etc.), but whose regular medical needs are treated on an out-patient basis.
 - Houston House program will now be known as Women and Children's Program (WCP).
-

- On April 18, 1995, new security level designations were established according to 103 DOC 101 Correctional Institutions/Custody Levels policy which states

Custody Levels:

- **Level One.** The least restrictive in the department and is reserved only for those inmates who are at the end of their sentence and have been identified as posing little to no threat to the community. Supervision is minimal and indirect.

- **Level Two.** A custody level in which both design/construction as well as inmate classification reflect the goal of restoring to the inmate maximum responsibility and control of their own behavior and actions prior to their release. Direct supervision of these inmates is not required, but intermittent observation may be appropriate under certain conditions. Inmates within this level may be permitted to access the community unescorted to participate in programming to include, but not limited to, work release, educational release, etc.

- **Level Three.** A custody level in which both the design/construction as well as inmate classification reflect the goal of returning to the inmate a greater sense of personal responsibility and autonomy while still providing for supervision and monitoring of behavior and activity. Inmates within this security level are not considered a serious risk to the safety of staff, inmates or to the public. Program participation is mandated and geared toward their potential reintegration into the community. Access to the community is limited and under constant direct staff supervision.

- **Level Four.** A custody level in which both the design/construction as well as inmate classification reflect the goal of restoring to the inmate some degree of responsibility and control of their own behavior and actions, while still insuring the safety of staff and inmates. Design/construction is generally characterized by high security parameters and limited use of internal physical barriers. Inmates at this level have demonstrated the ability to abide by rules and regulations and require intermittent supervision. However, behavior in the community, i.e., criminal sentence and/or the presence of serious outstanding legal matters, indicate the need for some control and for segregation from the community. Job and program opportunities exist for all inmates within the perimeter of the facility.

- **Level Five.** A custody level in which design/construction as well as inmate classification reflect the need to provide maximum external and internal control and supervision of inmates. Inmates accorded to this status may present an escape risk or pose a threat to other inmates, staff, or the orderly running of the institution, however, at a lesser degree than those at level 6. Supervision remains constant and direct. Through an inmates willingness to comply with institutional rules and regulations, increased job and program opportunities exist.

- **Level Six.** A custody level in which both design/construction as well as inmate classification reflect the need to provide maximum external and internal control and supervision of inmates primarily through the use of high security parameters and extensive use of internal physical barriers and check points. Inmates accorded this status present serious escape risks or pose serious threats to themselves, to other inmates, to staff, or the orderly running of the institution. Supervision of inmates is direct and constant.

Abbreviations

AC	Addiction Center	NCCI	North Central Correctional Institution at Gardner
ADP	Average Daily Population	OCCC	Old Colony Correctional Center
ATU	Awaiting Trial Unit	OUI	Operating Under the Influence
CRS	Contract Residential Services Includes Charlotte House, and Houston House	PPREP	Pre-Parole Residential Environmental Phase Program
DDU	Departmental Disciplinary Unit	PRC	Pre-Release Center
DOC	Department of Correction	SBCC	Souza-Baranowski Correctional Center
DRNCAC	David R. Nelson Correctional Addiction Center	SECC	Southeastern Correctional Center
DSU	Departmental Segregation Unit	SDPTC	Sexually Dangerous Person Treatment Center
HOC	House Of Correction	SMCC	South Middlesex Correctional Center(formerly SMPRC)
LCAC	Lawrence Correctional Alternative Center	SH	State Hospital
MASAC	Massachusetts Alcohol and Substance Abuse Center	TC	Treatment Center (Longwood)
NECC	Northeastern Correctional Center		

Table 1 provides the DOC figures for the third quarter of 2005. As this table indicates, the DOC population (excluding inmates at Bridgewater SH, TC and civil commitments at the Massachusetts Alcohol and Substance Abuse Center) increased by 137 inmates, or 2%, from the first day of the third quarter to the last day of the quarter. At the end of the quarter, the DOC operated with 9,141 inmates in the system, and the average daily population was 9,072 with a design capacity of 6,754. Thus, the DOC operated at 134 percent of design capacity.

Population in DOC Facilities, July 5, 2005 to September 26, 2005

Custody Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design Capacity	% ADP Capacity
Custody Level 6					
Cedar Junction	577	623	577	633	91%
SBCC	1,012	980	1,022	1,024	99%
Framingham –ATU	236	219	214	64	369%
Custody Level 5					
OCCC	725	740	709	480	151%
Custody Level 4					
Bay State	293	292	296	266	110%
Concord	1,211	1,173	1,228	614	197%
Framingham	438	476	456	388	113%
Norfolk	1,443	1,431	1,443	1,084	133%
Shirley-Medium	1,089	1,080	1,098	720	151%
NCCI	963	961	961	568	170%
Sub-Total	7,987	7,975	8,004	5,841	137%
Custody Level 3					
NCCI	30	30	30	30	100%
Plymouth	150	147	150	151	99%
Shirley Minimum	65	49	100	92	71%
OCCC Minimum	108	110	105	100	108%
Custody Level 3/2					
Boston State	131	98	146	150	87%
NECC	264	264	263	150	176%
Pondville	191	195	196	100	191%
SMCC	138	126	140	125	110%
Sub-Total	1,077	1,019	1,130	898	120%
Custody Level 1					
Women and Children's Program	8	10	7	15	53%
Sub-Total	8	10	7	15	53%
Total	9,072	9,004	9,141	6,754	134%
Custody Level 4					
State Hospital@Bridgewater	341	338	333	227	150%
Treatment Center	644	642	644	561	115%
Custody Level 3					
MASAC	196	181	202	236	83%
Sub-Total	1,181	1,161	1,179	1,024	115%
Grand Total	10,253	10,165	10,320	7,778	132%
Houses of Correction	339	325	358	n.a.	n.a.
Federal Prisons	5	6	5	n.a.	n.a.
Inter-State Contract	66	67	66	n.a.	n.a.

See Technical Notes, pp.4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this report time period.

Table 2 provides the DOC figures for the previous twelve months – i.e., for the period July 6, 2004 to June 27, 2005. These figures indicate that the DOC population increased by 86 inmates, or one percent, over this twelve-month period (excluding inmates at Bridgewater SH, TC and civil commitments at the Massachusetts Alcohol and Substance Abuse Center), from 8,898 to 8,984 in June 2005.

Population in DOC Facilities, July 6, 2004 to June 27, 2005

Custody Level/Facility	Avg. Daily Population	Beginning Population	Ending Population	Design Capacity	% ADP Capacity
Custody Level 6					
Cedar Junction	603	624	626	633	95%
SBCC	996	1,014	980	1,024	97%
Framingham –ATU	194	207	220	64	303%
Custody Level 5					
OCCC	700	737	712	480	146%
Custody Level 4					
Bay State	292	296	295	266	110%
Concord	1,096	1,121	1,181	614	179%
Framingham	459	463	472	388	118%
Norfolk	1,426	1,438	1,425	1,084	132%
Shirley-Medium	1,075	1,076	1,081	720	149%
NCCI	958	968	964	568	169%
Sub-Total	7,799	7,944	7,956	5,841	134%
Custody Level 3					
NCCI	30	30	30	30	100%
Plymouth	154	172	151	151	102%
Shirley Minimum	48	50	49	92	52%
OCCC Minimum	106	104	105	100	106%
Custody Level 3/2					
Boston State	97	88	98	55	176%
NECC	246	218	264	150	164%
Pondville	192	186	195	100	192%
SMCC	114	101	127	125	91%
Sub-Total	987	949	1,019	803	123%
Custody Level 1					
Houston House	6	5	9	15	40%
Sub-Total	6	5	9	15	40%
Total	8,792	8,898	8,984	6,659	132%
Custody Level 4					
State Hospital@Bridgewater	336	335	340	227	148%
Treatment Center	620	596	638	561	111%
Custody Level 3					
MASAC	177	200	176	236	75%
Sub-Total	1,133	1,131	1,154	1,024	111%
Grand Total	9,925	10,029	10,138	7,683	129%
Houses of Correction	322	335	326	n.a.	n.a.
Federal Prisons	6	5	6	n.a.	n.a.
Inter-State Contract	67	71	67	n.a.	n.a.

See Technical Notes, pp.4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this report time period.

Table 3 presents the county figures for the third quarter of 2005. The county population increased by 387 inmates, or three percent, from the first day of the third quarter to the last day of the quarter. At the end of the quarter, the county system operated with 13,236 inmates, with an average daily population of 12,999 in facilities with a total design capacity of 8,022. Thus, the county system operated at 162 percent of design capacity.

**Population in County Correctional Facilities by County,
July 5, 2005 to September 26, 2005**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design Capacity	% ADP Capacity
Barnstable	406	370	433	110	369%
Berkshire	350	341	344	116	302%
Bristol	1,257	1,245	1,280	610	206%
Dukes	31	32	29	19	163%
Essex	1,511	1,567	1,529	635	238%
Franklin	186	185	191	63	295%
Hampden	1,992	1,916	2,061	1,303	153%
Hampshire	276	284	283	248	111%
Middlesex	1,194	1,143	1,219	1,035	115%
Norfolk	614	582	651	354	173%
Plymouth	1,525	1,538	1,535	1,140	134%
Suffolk	2,321	2,326	2,333	1,599	145%
Worcester	1,336	1,320	1,348	790	169%
Total	12,999	12,849	13,236	8,022	162%

Table 4 presents the county figures for the third quarter of 2005. The following table presents a breakdown of multi-facility counties, by facility.

**Population in County Correctional Facilities by Facility,
July 5, 2005 to September 26, 2005**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design Capacity	% ADP Capacity
Bristol County					
Bristol Ash Street	189	176	184	206	92%
Bristol Dartmouth	1,068	1,069	1,096	304	351%
Bristol DRNCAC	-	-	-	100	0%
Essex County					
Essex Middleton	1,172	1,201	1,208	500	234%
Essex LCAC	339	366	321	135	251%
Hampden County					
Hampden	1,820	1,745	1,887	1,178	154%
Hampden OUI	172	171	174	125	138%
Middlesex County					
Middlesex Cambridge	344	314	335	161	214%
Middlesex Billerica	850	829	884	874	97%
Norfolk County					
Norfolk Dedham	614	582	651	302	203%
Norfolk Braintree	-	-	-	52	0%
Suffolk County					
Suffolk Nashua Street	662	645	694	453	146%
Suffolk South Bay	1,659	1,681	1,639	1,146	145%

See Technical Notes, pp.4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this report time period.

Table 5 presents the county figures for the previous twelve months. These figures indicate that the county population increased by 319 inmates, or 3 percent, over this twelve-month period, from 12,527 in July, to 12,846 in June 2005.

**Population in County Correctional Facilities by County,
July 6, 2004 to June 27, 2005**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design Capacity	% ADP Capacity
Barnstable	352	315	370	110	320%
Berkshire	329	365	331	116	284%
Bristol	1,234	1,199	1,260	610	202%
Dukes	26	19	28	19	137%
Essex	1,441	1,501	1,487	635	227%
Franklin	178	176	180	63	283%
Hampden	1,850	1,818	1,916	1,303	142%
Hampshire	272	285	282	248	110%
Middlesex	1,160	1,132	1,167	1,035	112%
Norfolk	567	560	567	354	160%
Plymouth	1,503	1,499	1,539	1,140	132%
Suffolk	2,359	2,425	2,374	1,599	148%
Worcester	1,302	1,233	1,345	790	165%
Total	12,573	12,527	12,846	8,022	157%

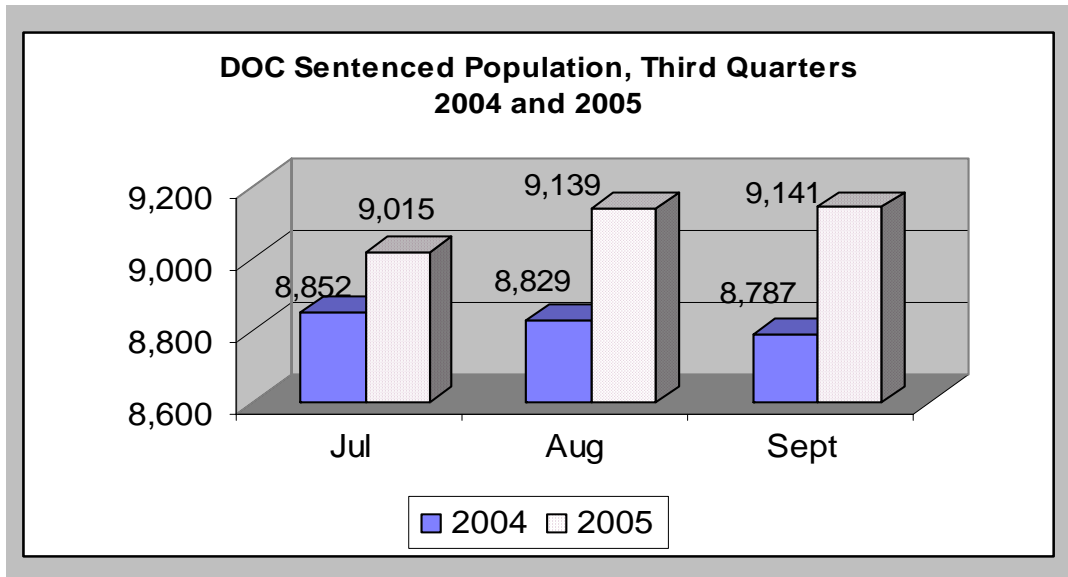
Table 6 presents the county figures for the previous twelve months. The following table presents a breakdown of multi-facility counties, by facility.

**Population in County Correctional Facilities by Facility,
July 6, 2004 to June 27, 2005**

Facility	Avg. Daily Population	Beginning Population	Ending Population	Design Capacity	% ADP Capacity
Bristol County					
Bristol Ash Street	191	176	203	206	93%
Bristol Dartmouth	1,043	1,023	1,057	304	343%
Bristol DRNCAC	-	-	-	100	0%
Essex County					
Essex Middleton	1,112	1,136	1,139	500	222%
Essex LCAC	329	365	348	135	244%
Hampden County					
Hampden	1,678	1,644	1,743	1,178	142%
Hampden-OUI	172	174	173	125	138%
Middlesex County					
Middlesex Cambridge	307	281	330	161	191%
Middlesex Billerica	853	851	837	874	98%
Norfolk County					
Norfolk Dedham	567	560	567	302	188%
Norfolk Braintree	-	-	-	52	0%
Suffolk County					
Suffolk Nashua Street	644	638	635	453	142%
Suffolk South Bay	1,715	1,787	1,739	1,146	150%

See Technical Notes, pp.4-6, for information regarding design capacity, custody level designations, facility closings or name changes relevant to this report time period.

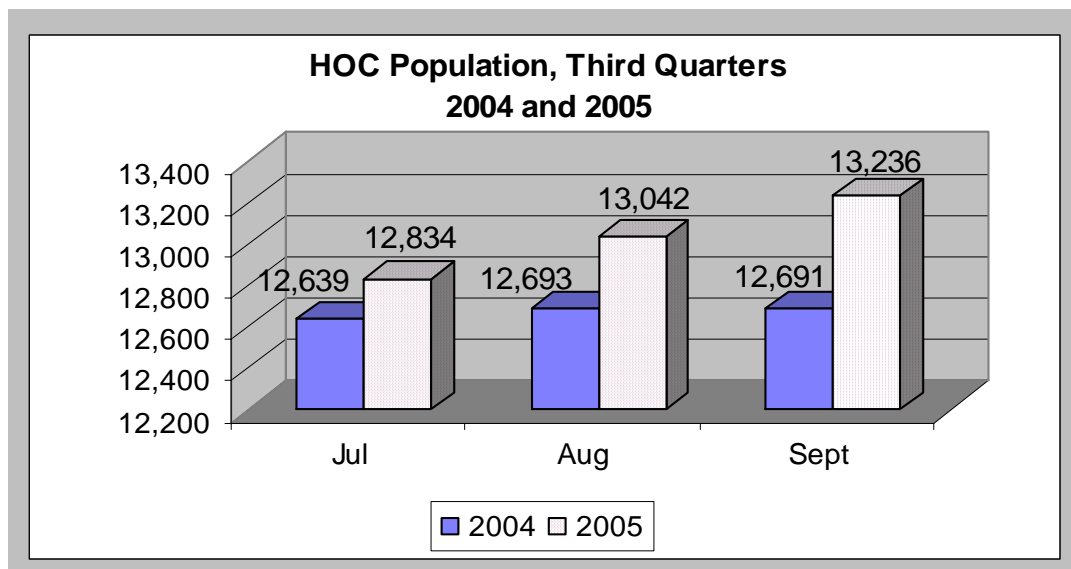
Figure 1



The graph above compares the DOC sentenced population for the third quarter in 2005 to the third quarter in 2004, by month. For July 2005, the DOC population increased by 163 inmates, or 2%, compared to July 2004; for August 2005, the population increased by 310 inmates, or 4%; and for September 2005 the population increased by 354 inmates, or 4%.

Figure 2

HOC Population, Third Quarters of 2004 and 2005



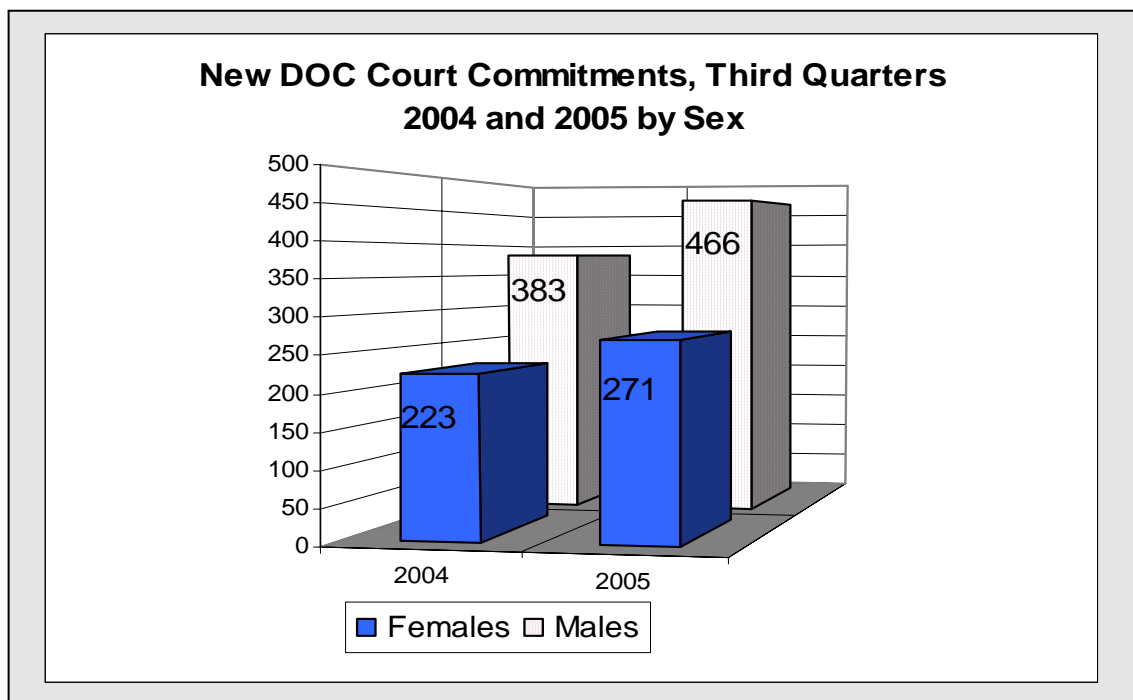
The graph above compares the HOC population for the third quarter in 2005 to the third quarter in 2004, by month. For July 2005, the HOC population increased by 195 inmates, or 2%, compared to July 2004; in August 2005, the population increased by 349 inmates, or 3%, and in September 2005, the population increased by 545 inmates or 4%.

Note: Data for Figure 2 was taken from the end of the month daily count sheet compiled by the Classification Division

Table 7 provides quarterly statistics on new, criminally sentenced, court commitments to the DOC for the third quarters of 2004 and 2005, by sex. Overall, there was an increase of 131 new court commitments, or 22 percent, for the third quarter 2005, in comparison to the number of new court commitments in the third quarter 2004, from 606 to 737. Male commitments increased by 83, or 22%, from 383 commitments in the third quarter 2004 to 466 commitments in the third quarter 2005. Female commitments increased by 48, or 22%, from 223 in the third quarter 2004 to 271 in the third quarter 2005.

Quarterly DOC New Court Commitment by Sex			
	2004	2005	Difference
Males			
First Quarter	453	517	14%
Second Quarter	477	528	11%
Third Quarter	383	466	22%
Sub-Total	1,313	1,511	15%
Females			
First Quarter	251	263	5%
Second Quarter	241	290	20%
Third Quarter	223	271	22%
Sub-total	715	824	15%
Total	2,028	2,335	15%

Figure 3 provides a graphical representation of the number of new, criminally sentenced court commitments to the DOC during the third quarters of 2004 and 2005, by sex.



Note: Data for Table 7 and Figure 3 were obtained from the DOC's Inmate Tracking Database and the IMS Database